

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE NAMENDA DIRECT PURCHASER  
ANTITRUST LITIGATION

Case No. 1:15-cv-07488-CM (RWL)

**FOREST'S RESPONSE TO PLAINTIFFS' MOTION *IN*  
*LIMINE* NO. 15: PRECLUDE FOREST FROM RELYING UPON PATENTS  
OTHER THAN THE '703 PATENT AS AFFECTING GENERIC NAMENDA IR**

**WHITE & CASE<sup>LLP</sup>**

*Counsel for Defendants Actavis plc, Forest  
Laboratories, LLC, Forest Laboratories, Inc., and  
Forest Laboratories Holdings Ltd.*

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**RESPONSE TO PLAINTIFFS' MOTION *IN LIMINE* NO. 15**

In response to Plaintiffs' Motion *In Limine* No. 15, which seeks to preclude Forest from relying upon patents other than the '703 patent as affecting the market entry of generic Namenda IR products, Forest agrees that it will not affirmatively rely upon any patent other than the '703 patent as affecting the market entry of generic Namenda IR products. However, Forest reserves the right to respond to any arguments that DPPs may make at trial that opens the door to such an argument.

Dated: June 14, 2019

Respectfully submitted,

**WHITE & CASE<sub>LLP</sub>**

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